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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,712	09/26/2005	Naoki Sawada	XA-10442	3040
181 7590 07/09/2007 MILES & STOCKBRIDGE PC 1751 PINNACLE DRIVE SUITE 500 MCLEAN, VA 22102-3833			EXAMINER COKER, ROBERT A	
			ART UNIT 3616	PAPER NUMBER
			MAIL DATE 07/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/550,712

Applicant(s)

SAWADA ET AL.

Examiner

Robert A. Coker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date See Continuation Sheet
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :09/26/2005, 03/09/2007 and 03/22/2007.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, in claim 5, lines 8 and 9, "a body-side strength member" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

1. Claim 5 is objected to because of the following informalities: In claim 5, lines 12 and 13, " and the position of said outer jacket fixed to said bracket" should be deleted since it is redundant in the claim.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3 and 5-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 3, lines 2-4, "said inner column is expanded into a deformed non-circular form" and "said outer jacket is also shaped into a deformed non-circular form" are unclear.

In claim 5, line 15, "said steering column" lacks antecedent basis.

In claim 5, line 18 and 19, "the steering" lacks antecedent basis.

In claim 8, line, 2-5, "said inner column is expanded into a deformed non-circular form" and "said outer jacket is also shaped into a deformed non-circular form" are unclear.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4, 8 and 9 are rejected under 35 U.S.C. 102(e) as best understood as being anticipated by Ikeda et al., (U. S. 6,467,807).

With respect to claim 1, Ikeda et al., discloses a steering apparatus for a vehicle comprising: a body-side bracket (6) attached to the vehicle body; a column assembly supported by said body-side bracket and consisting of an inner column (3) for supporting a steering shaft (1) to be rotatable and an outer jacket (4) for supporting said inner column to be movable in the axial direction; and telescopic clamping means (Column 4, lines 39-41) for fixing the steering shaft at an adjustment position by clamping said inner column through said outer jacket, wherein said outer jacket is provided with a slit (I) (See Figure 8A - 8C) entirely along the axial direction (column 4, Lines 36-38).

With respect to claim 2, Ikeda et al., discloses a steering apparatus for a vehicle, wherein the steering shaft is supported to be rotatable at least at two points (31, 33) in said inner column, and said steering shaft is extendable and contractible outside column in the axial direction and a lower side thereof.

With respect to claims 3, Ikeda et al., discloses a steering apparatus for a vehicle, wherein said inner column is expanded into a deformed non-circular form and

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the inner diameter of said outer jacket is also shaped into a deformed portion non-circular form correspondingly thereto.

With respect to claim 4, Ikeda discloses a steering apparatus for a vehicle, wherein said inner column is provided with an axial stopper member (44) for preventing rotation which is extended from said inner column to pass through said slit (Column 9, Lines 3-7).

With respect to claim 8, Ikeda et al., discloses a steering apparatus for a vehicle, wherein said inner column is expanded into a deformed non-circular form and the inner diameter of said outer jacket is also shaped into a deformed portion non-circular form correspondingly thereto.

With respect to claim 9, Ikeda et al., discloses a steering apparatus for a vehicle, wherein said inner column is provided with an axial stopper member (44) for preventing rotation which is extended from said inner column to pass through said slit (Column 9, Lines 3-7).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claim 5 is rejected under 35 U.S.C. 103(a) as best understood as being unpatentable over Ikeda et al., (U. S. 6,467,807) in view of Yamamura et al., (U. S. 6,623,036).

With respect to claim 5, Ikeda discloses a steering column apparatus for a vehicle comprising: an inner column (3) for supporting a steering shaft (1) to be rotatable; an outer jacket (4) for supporting said inner column from the outer peripheral side thereof; and a bracket (6) for supporting said outer jacket; and a clamping mechanism for releasing a clamped state in which the position of said outer jacket is fixed to said bracket and the position of said outer jacket fixed to said bracket so as to allow position adjustment, wherein said outer jacket has a portion for pressing and supporting said steering column from the outer diameter side of said steering column, and said portion for pressing and supporting is formed with a slit (I) entirely along the axial direction of the steering (Figures 6A-6C), except a body-side strength member. However, Yamamura et al., discloses a vehicle body (200)(See Figure 5). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the invention of Ikeda et al., such that it comprised a body strength member in view of the teachings of Yamamura et al., so as to absorb the torsional torque.



***Allowable Subject Matter***

8. Claims 6 and 7 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ikeda et al., (U. S. 7,219,926), Yamamura et al., (U. S. 6,623,036) and Matsumoto et al., (U. S. 5,009,121) disclose similar features of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert A. Coker whose telephone number is 571-272-8514. The examiner can normally be reached on 8:30-5:00 Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Robert A Coker  
Examiner  
Art Unit 3616



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4/25/07